

THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI

IN RE:)
)
DONALD KEITH JOHNSON) Case No: 11-44920-drd13
NANCY ELIZABETH CHAMBERS)
)
Debtors.)

MOTION TO RETAIN AND SPEND BONUS
AND NOTICE TO CREDITORS

COME NOW the Debtors, DONALD KEITH JOHNSON and NANCY ELIZABETH CHAMBERS, by and through their attorney of record, Lorinda D. Walters, and for their Motion to Retain and Spend Bonus, state as follows:

1. The Debtors filed their Chapter 13 petition and Chapter 13 Plan and Plan Summary on October 21, 2011.
2. The Debtors' Chapter 13 Plan was confirmed on December 22, 2011.
3. On March 16, 2012, Debtor Nancy Chambers received a bonus from her employer in the sum of \$5,185.10. Taxes were withheld from said bonus in the sum of \$1,615.16, leaving a net amount of \$3,569.94.
4. The Debtors have incurred the following expenses:
 - a. The Debtors' hot water heater tank became inoperable, which necessitated the Debtors replacing said hot water heater on June 10, 2012. The cost of said replacement of a high efficiency hot water heater was \$1,858.02. A copy of the invoice is attached hereto.
 - b. Debtor Donald Johnson's 2001 Ford Ranger pickup truck was in need of certain repairs: On May 19, 2012, said Debtor replaced his coil pack for the

sum of \$74.32, and on June 7, 2012, said Debtor replaced his EGR valve for \$44.09. Debtor Donald Johnson performed the repairs himself.

- c. Since the filing of the Debtors' bankruptcy petition, Debtor Nancy Chambers has incurred additional unexpected expenses related to her employment, even though her income has not increased. Said Debtor is required to make out of town trips for her employment, and has encountered the following increases in her job-related expenses: the price of gas has risen recently, the price of airline tickets has also risen, and said Debtor's employer is not reimbursing the Debtor for certain expenses as the employer has done in the past. In addition, said Debtor is now required to pay for her own seminar fees incurred during her mandatory out of town trips. These additional expenses have made it necessary to use said Debtor's bonus money to pay for the Debtors' June 2012 plan payment, in the sum of \$1,616.00.

5. The foregoing expenses are reasonable and necessary, and are not accounted for in the Debtors' budget.

6. The Debtors are in need of retaining and spending said bonus in the gross sum of \$5,185.10 minus taxes of \$1,615.16 for a total net sum of \$3,569.94 for the foregoing reasons.

WHEREFORE, the Debtors, DONALD KEITH JOHNSON and NANCY ELIZABETH CHAMBERS, by and through their attorney of record, Lorinda D. Walters, move the Court to allow the Debtors to retain and spend Debtor Nancy Chambers' bonus in the gross sum of \$5,185.10 minus taxes of \$1,615.16 for a total net sum of \$3,569.94, for the foregoing reasons.

WALTERS LEGAL SERVICES

/s/ Lorinda D. Walters

Lorinda D. Walters
Missouri Bar No. 27129
3000 N.E. Brooktree Lane
Suite 230
Kansas City, Missouri 64119
TEL: (816) 454-3000
FAX: (816) 454-4514
Attorney for Debtors

NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

NOTICE IS GIVEN THAT:

Any Response to this Motion must be filed within twenty-one (21) days of the date of this notice with the Clerk of the United State Bankruptcy Court. Documents can be filed electronically at . A copy of such response shall be served electronically by the Court on the Chapter 13 Trustee and all other parties to the case who have registered for electronic filing. If Debtor's counsel is not registered for electronic filing, you must serve the response by mail. If a Response is timely filed, a hearing will be held on a date and time determined by the Court. Notice of such hearing will be provided to all parties in interest. If no Response is filed within twenty-one (21) days, the Court will enter an Order granting the Motion.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion to Retain and Spend Bonus and Notice to Creditors was mailed this 22nd day of June, 2012, by first class mail, postage prepaid, to all creditors on the mailing matrix, and to all interested parties requesting notice.

/s/ Lorinda D. Walters

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7899 Frontage Road
 Overland Park, KS 66204

DATE: 06/10/12		DS #: 1205106
CUSTOMER NAME (Financially Responsible Party) Nancy Chambers		CALLER NAME
JOB ADDRESS 106 NW 67th St		CITY Gladstone MO 64118
BILLING ADDRESS (if Different)		STATE MO
E-MAIL ADDRESS		ZIP 64118
PH1		PH2
120510830		SERVICE PARTNER MEMBER? <input type="checkbox"/> Yes <input type="checkbox"/> No

ORIGINAL REASON FOR THE CALL: Tankless water heater

SUMMARY:

120510830

WORK AUTHORIZATION: I, the undersigned, am owner/authorized representative/tenant of the premises at which the work above is being done. I hereby authorize you to perform the above recommendation, and to use such labor and materials as you deem advisable. Unless prior authorization for billing, payment for all work done is due upon completion (C.O.D.). A \$10.00 BILLING CHARGE is due thereafter. An office billing charge and/or finance charge of 1.75% per month (21% per annum) will be added after 10 days past due. I agree to pay reasonable attorney's fees, court costs and collection fees in the event of legal action. I have read this contract, including the terms and conditions on the reverse side hereof and agree to be bound by all the terms contained herein. All old parts will be removed from premises and discarded, unless otherwise specified herein.

I HEREBY AUTHORIZE YOU TO PROCEED WITH THE ABOVE WORK AT THE UPFRONT FEE OF \$ 1883.02

Signature: *Donald K. Johnson* Print Name: Donald K. Johnson

☐ See Summary of Findings sheet for additional information

For your peace of mind, should the total amount of your system's replacement value, our technician is required to inform you of options for both repairing and replacing the equipment.

Qty	Task#	Description	Rate
1	A11012	Service Call Charge	48.00
1	SP30	Service Partner Membership	119.90
1	54300	50 gal high recovery gas water heater byr warranty, P+L	1715.62
1	CYB	PS. Paid in Full 2:00 cash	25.00

Water Pressure

1858.02

☐ Pre-Approved Financing Terms:

☒ Please pay from this invoice - Work performed C.O.D.

PAYMENT 1 Cash ☐ Check ☐ Check # _____
 MC ☐ Visa ☐ Disc ☐ AmEx ☐ Auth # _____
 Card # _____ Exp: ☐ ☐ ☐ ☐

PAYMENT 2 Cash ☐ Check ☐ Check # _____
 MC ☐ Visa ☐ Disc ☐ AmEx ☐ Auth # _____
 Card # _____ Exp: ☐ ☐ ☐ ☐

WANT TO PAY LESS?

My Service Technician presented me with a Service Partner Program and explained the benefits.

I want to save money and become a Service Partner ☒ YES Initial ONE

OR

At this time I decline the offer ☐ NO

SUBTOTAL	
DISC. 1	
DISC. 2	
TOTAL COST	1858.02
SERVICE PARTNER SAVINGS	\$

ACCEPTANCE OF WORK PERFORMED: I acknowledge satisfactory completion of the above described work and that the premises has been left in satisfactory condition. I understand that if my check does not clear, I am liable for the check and any charges from the bank. I agree to pay 1.75% per month for past due contracts (minimum charge \$15). In the event that collection efforts are initiated against me, I shall pay for all associated fees at the posted rates as well as all cost of collection fees and reasonable attorney fees. I agree that the amount set forth in the space marked "TOTAL COST" is the total flat price I have agreed to.

SERVICE TECHNICIAN ACKNOWLEDGEMENT

Prior to the customer entering into the contract, I have discussed the nature of the service and cost and I have given a copy of the contract to the customer. All work I have done has been in compliance with company standards in a workmanlike manner and in accordance with applicable codes and regulations.

CUSTOMER SERVICE IS OUR #1 FOCUS

If you are not completely satisfied for any reason, please call and ask to speak with the Customer Service Manager. Your feedback is very important to us.

THANK YOU FOR CHOOSING US FOR YOUR SERVICE NEEDS!

SIGNATURE *Nancy Chambers*

I decline to have the recommended work performed at this time. SIGNATURE _____

SIGNATURE *Donald K. Johnson*

DATE



Service is our best part.

Store # 05081
(816) 420-8137
6527 N. OAK TRAFFICWAY
GLADSTONE MO 64118
6/07/2012 15:32:59 REG 01
Cashier: Shawn H.

ITEM	QTY	PRICE	TOTAL
====	===	=====	=====
EGR VALVE BWD		20470122	
EGR1300	1	\$44.09	\$44.09
1 YEAR REPLACEMENT IF DEFECTIVE			
Sub Total			\$44.09
Total			\$44.09
Cash			\$60.00
CHANGE ==>			15.91

Scan to RETURN items

Z2KG31BDSK1HNL



Transaction #2506

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or

espanol.AdvanceAutoParts.Jobs

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interested in and follow the instructions to



Service is our best part.

Store # 05081
(816) 420-8137
6527 N. OAK TRAFFICWAY
GLADSTONE MO 64118
5/19/2012 16:01:34 REG 02
Cashier: Edgar G.

ITEM	QTY	PRICE	TOTAL
====	===	=====	=====
COIL IGNITION BWD		18240280	
E260	1	\$68.99	\$68.99
LIMITED LIFETIME REPLACEMENT			
2001 Ford Ranger			
3.0L 183 - V6 FI - U			
Sub Total			\$68.99
T1 Tax @		7.7250%	\$5.33
Total			\$74.32
Cash			\$100.32
CHANGE ==>			26.00

Johnson, Don

Scan to RETURN items

Z2KEP1C1211HNL



Transaction #104

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apply!

\$

CUSTOMER COPY